

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

FELIPE POLANCO DIAZ,

Plaintiff,

v.

JEFF LYNCH, et al.,

Defendants.

No. 2:21-cv-0916 KJM KJN P

ORDER

Plaintiff, a state prisoner proceeding pro se, filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On January 26, 2022, it was recommended that this action be dismissed based on plaintiff's failure to file an amended complaint. Such findings and recommendations were re-served on plaintiff on February 24, 2022.¹ On March 14, 2022, plaintiff filed objections to the findings and recommendations explaining his inability to timely comply with the court's order.

////

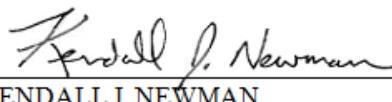
¹ The findings and recommendations were re-served on plaintiff based on a change of address he filed in another case, 2:21-cv-1583 KJN. However, in each case, plaintiff is required to notify the Clerk of any change of address, and must keep the court apprised of his current address at all times. Local Rule 182(f). Pursuant to Local Rule 182(f), service of documents at the record address of the party is fully effective.

1 Good cause appearing, the findings and recommendations are vacated and plaintiff is
2 granted an extension of time to comply with the October 7, 2021 order. However, plaintiff has
3 now had over five months in which to prepare his amended complaint. Plaintiff is cautioned that
4 the undersigned is not inclined to grant further extensions of time.

5 Accordingly, IT IS HEREBY ORDERED that:

- 6 1. The findings and recommendations filed January 26, 2022 are vacated; and
7 2. Plaintiff is granted thirty days from the date of this order in which to file an amended
8 complaint that complies with the October 7, 2021 order.

9 Dated: March 16, 2022

10 
11 KENDALL J. NEWMAN
12 UNITED STATES MAGISTRATE JUDGE

13 /diaz0916.eot2

14
15
16
17
18
19
20
21
22
23
24
25
26
27
28